

REMARKS

Rejected claims 2, 5, 6, 8, 12-19 and 21-25 have been cancelled.

Claims 1, 3, 4, 7, 9-11, and 20 have been rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite for the specified reasons.

These claims have been amended in consideration of the Examiner's comments and suggestions to define the invention more specifically and unambiguously. As amended, these claims are submitted to define the invention with sufficient particularity and distinctiveness to be patentable to applicants.

Claim 1 has been rejected under 35 U.S.C. §102(e) as being anticipated by Gibson '587. This rejection is respectfully traversed with respect to claim 1 as amended herein.

Specifically, this claim as amended now recites "a pull wire slidably disposed within the at least one lumen and fixedly attached to the body member at a first location therealong proximal the flexible distal portion and at a first angular orientation about the longitudinal axis of the elongated body member, the pull wire being slidably attached to the elongated body member at a second location therealong that is proximally spaced from the first location and that is oriented at a second different angular orientation about the longitudinal axis for deflecting the distal portion in response to tension on the pull wire".

In addition, the dependent claims are further restricted by various recitations of the resilience of body member, and of the pull wire in relation to a distal portion of the elongated body.

These aspects of the claimed invention are not disclosed by Gibson '587 which is understood to rely upon a pull wire extending to attachment at the distal tip of the body member in order to establish the disclosed curvatures over the full length of the body, as illustrated. The disclosure of this reference is therefore submitted to be deficient regarding applicants' claimed aspects, and as being insufficient to establish even a *prima facie* basis from which a proper determination of anticipation can be made. It is therefore respectfully submitted that claim 1, and the dependent claims 3, 4, 7, 9-11 and 20 as amended are now patentably distinguishable over the cited art.

The Examiner's comments and suggestions regarding claims 1 and 2 are noted with appreciation and were duly considered in amending the claims herein to define the invention more specifically.

Reconsideration and allowance of all remaining claims, and continuation of the examination are requested.

Fees for extensions of time and for the requested continuation of examination are enclosed.

Also enclosed is a substitute power of attorney form. 

Respectfully Submitted,
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